



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**In re application of: Burnett Davis**

**Serial No: 10/603,020**

**For: Container Transporter**

**EXAMINER: GREGORY W. ADAMS**

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**PETITION TO WITHDRAW HOLDING OF ABANDONMENT**

Applicant submitted petition. Applicant is providing as evidence the attached application with proof of facsimile. Additionally, applicant asked the director to review the file wrapper as additional evidence. Applicant filed RCE within the 6 month period. Applicant paid the extension fee with original response.

**Respectfully submitted:**

  
A handwritten signature in black ink, appearing to read "Delphine M. James", is written over a horizontal line.

**Registration No. 45,960  
Delphine M. James, Attorney At Law  
2656 South Loop West Suite 170  
Houston, TX 77054  
(713)-661-4144  
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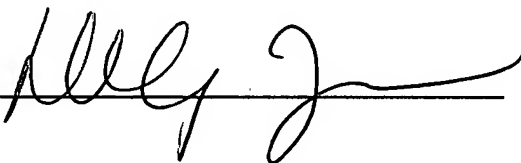


**CERTIFICATE OF MAILING**

**I, Delphine James, hereby certify that the foregoing Petition to the Office Action**

**is being transmitted by United Postal Service Express Mail. E B 582205130US**

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**BY:** 

**Delphine James**

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ATTN: *Petitions/Gregory Adams* FROM: DELPHINE M. JAMES  
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Burnett Davis

SERIAL NO: 10/603,020

FOR: Container Transporter

EXAMINER: Gregory W. Adams

### PETITION TO WITHDRAW ABANDONMENT

This patent was unavoidably abandoned and in the alternative unintentionally abandoned.

My assistant called the office a couple of times regarding the status of this application.

Attorney James became ill and was in the hospital at the time the RCE needed to be filed.

The Monday was following a week day. Assistant, Lene Ferguson, filled in the RCE

application while the Attorney was in the hospital. See Exhibit A. Attorney filed a

response after final action and paid the two months extension. This response was filed

with an attempt to put the case in a condition for allowance. Thus, this application was

not intended to be abandoned. The Examiner filed a response to final action after the

RCE was filed and applicant did not know until the case was abandoned regarding the

extra fees or that the case was not put in a condition for allowance.

Respectfully submitted,

Delphine James

Registration NO. 45,960

Law Office of Delphine James, PLLC

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(Fax) 713-661-4145

5511 Austin Street  
Houston, Texas 77004  
(713) 524-8531

Exhibit A

November 2, 2006

To whom it concerns:

Atty. Delphine James was hospitalized on September 22, 2006 and underwent emergency surgery. I have followed her closely post op and her recovery is progressing well. I am releasing her to return to work without restrictions Nov 3, 2006.

Sincerely,  
Dr. J. Stone  
713 524 8431

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